

**IN THE UNITED STATES
DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

La Unión Del Pueblo Entero, *et al.*,

Plaintiffs,

v.

Gregory W. Abbott, *et al.*,

Defendants.

No. 5:21-cv-00844-XR

**INTERVENOR-DEFENDANTS' RESPONSES AND OBJECTIONS TO
HAUL PLAINTIFFS' RULE 26(a)(3) DISCLOSURES**

Intervenor-Defendants Harris County Republican Party, Dallas County Republican Party, Republican National Committee, National Republican Senatorial Committee, and National Republican Congressional Committee (collectively, the "Intervenor-Defendants"), lodge the following objections and responses to the Rule 26(a)(3) pretrial disclosures filed by the HAUL Plaintiffs and the MFV Plaintiffs (collectively, "HAUL Plaintiffs"). *See* ECF No. 690.

Intervenor-Defendants expressly join, and incorporate herein by reference, all responses and objections lodged to the HAUL Plaintiffs' pretrial disclosures by any party to this litigation, including State Defendants. Intervenor-Defendants also expressly reserve the right to supplement, modify, or add to these responses and objections. Consistent with the parties' meet-and-confer conversations, Intervenor-Defendants are not required at this time to lodge any responses or objections to Private Plaintiffs' deposition designations of witnesses whom Private Plaintiffs have identified as will call live witnesses for trial.

HAUL Plaintiffs' Deposition Designations For Alan Vera (Feb. 27, 2023)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
36:2-9		36:10-25
40:17-41:15	Fed. R. Evid. 401	
41:7-41:10	Fed. R. Evid. 802; document speaks for itself	
47:2-8, 48:8-49:1, 49:23-50:07	Fed. R. Evid. 401	47:9-20
50:25-51:22	Fed. R. Evid. 401; deadline for discovery motions has expired	
142:14-144:14; 144:24-145:6		144:18-23

HAUL Plaintiffs' Deposition Designations For Isabel Longoria (April 20, 2022)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
42:4-16	Fed. R. Evid. 602 (lack of personal knowledge), Fed. R. Evid. 701 improper opinion testimony	
44:1-7	Fed. R. Evid. 602 (lack of personal knowledge), Fed. R. Evid. 701 improper opinion testimony	

HAUL Plaintiffs' Deposition Designations For Jacquelyn Callanen (April 20, 2022)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
35:24-36:9		36:10-38:9
280:1-9	Incomplete designation	

HAUL Plaintiffs' Deposition Designations For Tacoma Phillips (April 29, 2022)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
104:21-105:17, 106:3-108:12	Fed. R. Evid. 401	
119:11-17	Fed. R. Evid. 602 (lack of personal knowledge), lack of foundation	
119:18-23	Statement of counsel; not witness testimony	
120:19-25	Fed. R. Evid. 802 (hearsay)	
121:1-11	Fed. R. Evid. 602 (lack of personal knowledge), lack of foundation	
156:3-15	Fed. R. Evid. 602 (lack of personal knowledge), lack of foundation	
158:3-8	Improper opinion testimony on legal question	

HAUL Plaintiffs' Deposition Designations For Michael Scarpello (April 13, 2023)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
276:20-25	Improper opinion testimony, Fed. R. 602 (lack of personal knowledge)	
279:4-23	Fed. R. Evid. 602 (lack of personal knowledge), speculation	
286:3-25	Fed. R. Evid. 401, irrelevant	

287:22-25	Fed. R. Evid. 401, irrelevant; improper and incomplete designation	
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HAUL Plaintiffs' Deposition Designations For Lisa Wise (April 13, 2023)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
183:23-184:3	Incomplete designation	184:4-13

HAUL Plaintiffs' Deposition Designations For Bridgette Escobedo (May 11, 2022)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
66:15-18	Improper opinion testimony on legal question, Fed. R. Evid. 602 (lack of personal knowledge)	
66:19-67:4	Fed. R. Evid. 802 (hearsay)	
66:15-18	Lack of foundation	
68:1-4		68:5-21
189:17-24	Fed. R. Evid. 802 (hearsay), Fed. R. Evid. 602 (lack of personal knowledge)	

HAUL Plaintiffs' Deposition Designations For Rachelle Obakoza (March 21, 2023)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
9:10-12	Fed. R. Evid. 401 (relevance); incomplete designation	
19:11-25	Fed. R. Evid. 401 (relevance); document speaks for itself	

21:24-22:19	Fed. R. Evid. 401 (relevance); ; document speaks for itself	
35:18-36:18	Fed. R. Evid. 802 (hearsay)	36:19-25
37:5-21		37:22-38:11
55:1-12		55:13-15
58:12-18	Speculation	
65:1-7	Speculation, lack of foundation, Fed. R. Evid. 602 (lack of personal knowledge)	
65:25-66:8	Fed. R. Evid. 802 (hearsay)	
66:19-25	Fed. R. Evid. 802 (hearsay)	
75:18-76:19	Fed. R. Evid. 802 (hearsay)	
85:14-16	Fed. R. Evid. 401 (relevance)	
85:18	Fed. R. Evid. 401 (relevance)	
86:3-20	Document speaks for itself	86:21-24

HAUL Plaintiffs' Deposition Designations For Jennifer Colvin (March 21, 2023)

<u>HAUL Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
32:4	Fed. R. Evid. 401 (relevance); incomplete designation	
48:7-20	Lack of foundation, Fed. R. Evid. 602 (lack of personal knowledge)	
48:25-49:10	Lack of foundation, Fed. R. Evid. 602 (lack of personal knowledge)	

59:7-20		59:21-22
87:12-23	Lack of foundation, Fed. R. Evid. 602 (lack of personal knowledge)	
88:20-89:2	Lack of foundation, Fed. R. Evid. 602 (lack of personal knowledge)	
90:24-91:3	Lack of foundation, Fed. R. Evid. 602 (lack of personal knowledge)	

August 15, 2023

Respectfully submitted,

/s/ John M. Gore

John M. Gore

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CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of this filing to all counsel of record.

/s/ John M. Gore